

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0160-02
Bill No.: HCS for SB 99
Subject: Counties; Elections; County Officials; Judges
Type: Original
Date: April 25, 2013

Bill Summary: This proposal changes the laws regarding elections.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 7 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Local Government	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown

FISCAL ANALYSIS

ASSUMPTION

§78.090 - Certain Third Class City primary elections:

In response to the similar legislation from 2013 (HB 163), officials at the **City of Monett** stated primary elections were held in 2012 and 2008 at an average cost of \$6,056. Neither primary election was needed to reduce the number of candidates required for the general municipal election in April. In the last four primary and general elections (2012, 2008, 2004, 2000), only one actually eliminated a candidate.

In response to similar legislation from 2012 (HB 1250), officials at the **City of West Plains** stated the Office of Mayor and City Councilman have 4 year terms of office. Primary elections are held each year if enough candidates have filed for the elected office. This section of the proposal would allow the city to cancel the primary if two or fewer candidates file for the elected office. The city would realize a savings if the primary is cancelled.

In response to similar legislation from 2012 (HB 1250), officials from the **Office of Secretary of State (SOS)** assumed the City of West Plains and the City of Monett are the only two 3rd class cities with a commission form of government that have a primary election.

Oversight assumes the City of West Plains and the City of Monett may or may not choose to have a primary election for the office of mayor and councilman. The respective cities would realize minimal savings, dependent upon the cancellation of the February primary when the number of candidates that file for the office of mayor and councilman does not exceed the number required to proceed to the general election.

Oversight assumes this section of the proposal is permissive, and for the purpose of the fiscal note, will show no savings to the City of West Plains and the City of Monett.

§ 79.070 - Qualification of Aldermen in Cities of the Fourth Classification:

Oversight assumes this section of the proposal lowers the age of qualification of aldermen in cities of the fourth classification from 21 to 18 years of age. There is no fiscal impact from this section of the proposal on state or local government funds.

ASSUMPTION (continued)

§§115.003 - 115.456 - Election laws

In response to similar legislation from 2013 (HCS for HB 348), officials at **Buchanan County**, the **Kansas City Election Board** and the **Platte County Board of Election Commissioners** each assume there is no fiscal impact to their organization from this section of the proposal.

In response to similar legislation from 2013 (HCS for HB 348), officials from the **St. Louis County Board of Election Commission** (BOEC) assumed §115.281.2 would result in labor costs of \$36,000 per countywide election because of the need of a second election specifically for absentee ballots. The BOEC must account for every election day ballot and absentee ballot separately. Without the ballot title to distinguish between the two ballots, BOEC would no longer know which paper ballot belongs to the appropriate group. Therefore, they would have to create a special election specifically for absentees and number the individual ballots. This would take an additional 4.5 weeks to program, proof and finalize an absentee election, requiring eight staff with an average pay of \$25 per hour.

Oversight assumes procedures can be modified to keep ballots separate and additional costs, if any, can be absorbed.

§115.601 - Vote Recounts:

In response to similar legislation from 2013 (HB 54), officials from **Johnson County** assumed a recount would cost \$4,000 in staff and judges. However, it is unclear if a recount would ever be necessary.

In response to similar legislation from 2013 (HB 54), officials at the **Kansas City Board of Elections** assumed it costs the taxpayers in their jurisdiction between \$10,000 - \$15,000 to conduct a recount. They usually have one recount every two years. By reducing the percentage, the number of recounts and the costs should be cut in half.

In response to similar legislation from 2013 (HB 54), officials at the **St. Louis County Board of Election Commission** assumed that between 2006 and 2012 they had 16 recounts. If this lower percentage had been in place at that time 37% fewer recounts would have occurred for a savings of \$4,900.

ASSUMPTION (continued)

It is impossible to determine if recount votes would be needed in the future, therefore, **Oversight** will reflect a \$0 or Unknown savings (recounts not needed due to the provisions of this section of the proposal) to local election authorities.

§§ 115.199 and 193.148 - Death Notification System for Voter Registration:

Oversight notes this section of the proposal requires the establishment of a death notification system for election authorities in order to remove deceased individuals from voter registration records.

Officials at the **Department of Health and Senior Services** assumed this section of the proposal would not fiscally impact their agency.

§§ 473.730, 473.733, and 473.737 - St. Louis City Public Administrator:

Oversight assumes this section of the proposal will require the St. Louis City public administrator to be appointed by a majority of the circuit and associate circuit judges of the 22nd judicial circuit.

Oversight assumes this section of the proposal would result in no direct fiscal impact on St. Louis City.

Bill as a Whole:

Officials from the **Office of the Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

ASSUMPTION (continued)

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

In response to similar legislation from 2013 (HB 865), **Harrison County Health Department, Office of Administration - Budget and Planning** each assumed there is no fiscal impact to their organization from this proposal.

In response to similar legislation from 2013 (HB 865), officials at the **Reynolds County Health Department** and the **Nodaway County Health Center** responded to Oversight's request but did not indicate a fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
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LOCAL ELECTION AUTHORITY FUNDS

Savings - Local Election Authorities

§ 115.601 - no longer needing to do a recount because of change in percentage	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>
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ESTIMATED NET EFFECT ON LOCAL ELECTION AUTHORITY FUNDS

<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>
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FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION


§115.601 - Vote Recounts:

In a case where a candidate filed or a ballot question was originally filed with the Secretary of State, this section of the proposal changes when the candidate or the person whose position on a ballot question was defeated must be allowed a recount of the votes from a standard requiring the candidate's or the ballot question's defeat by less than 1% of the votes cast to a defeat by less than one-half of 1% of the votes cast.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Secretary of State
Department of Health and Senior Services
Office of Administration - Division of Budget and Planning
City of Monett
City of West Plains
Buchanan County
Kansas City Election Board
Platte County Board of Election Commissioners
St. Louis County Board of Election Commission
Harrison County Health Department
Reynolds County Health Department
Nodaway County Health Department



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